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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,084	03/11/2004	Byeong-Duk An	IK-0064	4357
34610	7590	12/08/2006	EXAMINER	
FLESHNER & KIM, LLP P.O. BOX 221200 CHANTILLY, VA 20153			JACKSON, ANDRE L	
			ART UNIT	PAPER NUMBER
			3677	

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/797,084	Applicant(s) AN ET AL.	
	Examiner Andre' L. Jackson	Art Unit 3677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15,27-37 and 47-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15,27-31,36,37 and 47-51 is/are rejected.
- 7) ☐ Claim(s) 32-35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Applicant's Amendment

The foreign priority document #2003-0031020 under 37 CFR 1.132 filed May 15, 2003 is sufficient to overcome the rejection of claims 1-15, 27-31, 36, 37 and 47-51 based upon a U.S.C. 102 rejection in view Yang et al. However, after careful review and search of the prior art relating to swivel hinge assemblies, #6,742,221 to Lu et al has been discovered and applied in this Action below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-15, 27-31, 36, 37 and 47-51 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,742,221 to Lu et al. Lu et al discloses a hinge for a notebook computer comprising;

a first rotary shaft (103) configured to be rotatable about a substantially vertically extending axis; a base (10) in the shape of a planar disc having a pair of oppositely disposed symmetrical cut out portions (forward and rearward recessed ends), each of the cut out portions comprising a plurality of cut outs (forward and rearward open spaces within the recessed ends) extending inward toward the first rotary shaft, and configured to be rotatable in a substantially

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horizontal plane by the first rotary shaft; a second rotary shaft (30), portions of which extend outward from the planar disc between the plurality of cut out portions (Fig. 2), and which is configured to be rotatable about a substantially horizontally extending axis, which intersects or is orthogonal with the first rotary shaft; and at least one elastic member (23) configured to limit elastically a rotation of the base or the second rotary shaft.

As to claims 3-7, the first and second rotary shafts are integrally formed with respect to the base, where the base is configured to be mounted on a notebook computer main body (40) and the second rotary shaft is configured to be connected to a monitor (50) of the notebook computer. Tapered faces of respective platforms (101) at the second rotary shaft (s) are configured to receive wirings of an electronic device.

As to claims 8-11, 30, 31 and 36 the notebook computer hinge further including a mounting base (20) configured to be secured to the main body. The mounting base comprises a cylinder (203) configured to receive the first rotary shaft, wherein the mounting base includes one or more fixing pins (not shown but are connected through pin receiving holes in a pin mounting plate forward of ears 201) configured to secure to the monitor of the notebook computer. Additionally, the first rotary shaft carries a ring defining projections (121), which mate with corresponding grooves (205) in the cylinder of the mounting base, which limit rotation of the first rotary shaft.

As to claims 12-14, 50 and 51 further a spring-loaded step ring or disc (11) with a stepped section (111) is configured to releasably lock the base in a predetermined position.

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A cover plate (top planar surface of the base 10) is provided to cover the base and includes an integral housing (104) to cover wirings. An outward circumferential recess (204) of the mounting base defines a cover part fitted at a lower surface of the base.

Allowable Subject Matter

Claims 32-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant's Arguments

In response to applicant's remarks presented on pages 2 and 3 in the Amendment of November 22, 2006, #6742221 to Lu et al has been discovered and cited to meet the structural limitations of applicant's claims as presently presented. The Examiner has respectfully withdrawn the rejection of applicant's claims 1-15, 27-31, 36, 37 and 47-51 over Yang et al in view of applicant's necessity to perfect applicant's foreign priority document(s), which effectively antedate the filing date of Yang et al. Thus, the Examiner has applied Lu et al to address the structural limitations of applicant's claims. Thus, claims 1-15, 27-31, 36, 37 and 47-51 are found not to be patentable over Lu et al. Claims 32-35 remain objected to.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre' L. Jackson whose telephone number is (571) 272-7067. The examiner can normally be reached on Mon. - Fri. (10 am - 6:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy J. Swann can be reached on (571) 272-7075. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

André L. Jackson
Patent Examiner
AU 3677

ALJ


ROBERT J. SANDY
PRIMARY EXAMINER